

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

CLOUD NETWORK TECHNOLOGY
USA INC.,

Plaintiff,

v.

RRK TRUCKING INC.,

Defendant.

No. 1:23-CV-00028-H-BU


**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

United States Magistrate Judge John R. Parker made Findings, Conclusions, and a Recommendation (FCR) on January 26, 2024, regarding the plaintiff's motion for default judgment (Dkt. No. 9), the plaintiff's motion for summary judgment (Dkt. No. 11), and the defendant's motion to defer consideration of the plaintiff's motion for summary judgment (Dkt. No. 24). Dkt. No. 39. No objections were filed, and the defendant has taken no action in this case since the Court granted defendant's counsel's motion to withdraw on November 20, 2023, *see* Dkt. No. 37, despite an order from the magistrate judge directing the defendant to show cause as to why it has not appeared through new counsel, *see* Dkt. No. 38.

Where no specific objections are filed within the 14-day period, the Court reviews the magistrate judge's findings, conclusions, and recommendations only for plain error. *Serrano v. Customs & Border Patrol, U.S. Customs & Border Prot.*, 975 F.3d 488, 502 (5th Cir. 2020). The Court has reviewed the FCR for plain error. Finding none, the Court accepts and adopts the FCR (Dkt. No. 39). The Court strikes the defendant's defenses and orders

the Clerk to enter a default against the defendant pursuant to Federal Rule of Civil Procedure 55(a). Additionally, the Court denies the plaintiff's motion for default judgment without prejudice (Dkt. No. 9), denies the plaintiff's motion for summary judgment as premature and without prejudice as to refiling (Dkt. No. 11), and denies the defendant's motion to defer as moot (Dkt. No. 24).

So ordered on February 12, 2024.


JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE